

Feminist Paradigm for Women Child Refugee on Indonesia Recently in New-Normal Era

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ABSTRACT

This study aims to determine the view of feminism in seeing female refugee children in Indonesia during the new-normal era during the Covid-19 pandemic. Women and children are the most vulnerable creatures, so they need protection, especially those who have fled to Indonesia, a transit country. This research uses feminism theory and health security to explain the protection of refugees by children. This research uses qualitative research methods and data collection techniques with literature study. The research stages were collecting data, reducing data, and drawing conclusions. This study indicates that the government is still lacking in handling Covid-19 causing refugees to be neglected and difficult to get social and economic assistance. Feminism assumes that the state should meet the needs of children women have equality with men. As a transit country, Indonesia has limitations in fulfilling the rights of women child refugees because Indonesia did not sign the Vienna Refugee Convention 1951. At the same time, Indonesia itself ratified the Human Rights and the Convention on the Rights of the Child and a convention for refugees based on the Declaration of Human Rights 1948. Therefore, at the regional level, cooperation must be made to solve refugee problems. Cooperation between ASEAN member countries is important to synergize and help each other fulfill refugees' rights, especially for those who are vulnerable, namely women child refugees, due to the lack of laws regulating refugees in ASEAN.

Keywords: *Feminism, Women Child, Refugees, New-normal Era, Indonesia.*

1. INTRODUCTION

Covid-19 or coronavirus disease 2019 is an outbreak of the SARS-CoV-2, which began infecting humans in China at the end of 2019. Until now, Covid-19 has become a pandemic and infected millions of people around the world. According to WHO data (3/18/2021), Covid-19 globally has infected 163 million people, and 3.4 million of them have died [1]. Meanwhile, in Indonesia, the number of Covid-19 cases has reached 1.7 million, and 48 thousand cases have died [2].

Covid-19 can infect all ages, all sexes, and all economic and social statuses. So that vulnerable groups such as children and women are very likely to be infected with this virus. Moreover, refugee children and women receive very little attention and protection from Covid-19. According to UNHCR data [3], in February 2021, there were around 49 thousand cases of Covid-19 infection in refugees in 105 countries, and 446 of them died.

Meanwhile, refugees and asylum seekers in Indonesia have not received sufficient government attention. The number of refugees in Indonesia reaches 19 thousand people, but not all of them get proper shelter. Most of the refugees in Indonesia, namely around 9 thousand people, are in shelters managed by the International Organization for Migration (IOM). Meanwhile, one-third of the total refugees do not get protection and facilities, so they struggle to live independently and expect help from the local community [4].

The government's lack of attention to refugees was also caused by the non-ratification of the Refugee Convention, so that Indonesia does not have a law on the handling or protection of refugees. Meanwhile, in handling refugees, the Indonesian government uses Law Number 6 of 2011 concerning Immigration which has not fully fulfilled the rights of refugees as a whole. The rights of refugees protected under this law are non-refoulement, non-expulsion, non-discrimination, and not committing criminal acts for refugees entering

Indonesian territory [5]. Meanwhile, refugees' rights to work and receive education are not regulated in this law, so they live by relying on assistance from international organizations and the community.

In the perspective of feminism, refugees are like other marginalized groups who need to get freedom and independence, especially female refugees. However, in being refugees, women have the least resources to fight for their rights or even to fight for their lives [6]. This situation was exacerbated by the Covid-19 pandemic, which affected women and children's health, socially and economically [7]. This pandemic has caused many women to lose their jobs, worsened their mental health, increased domestic violence and divorce due to social restrictions in many countries [8], [9].

From another perspective, namely human security, it also sees that refugees are a group that is vulnerable to various humanitarian threats. Refugee children or children, in general, are the most vulnerable to the threat of their survival due to the Covid-19 pandemic. Research by international health groups states that the Covid-19 pandemic has had a devastating effect on the health and care of mothers, newborns, and children. The impact of Covid-19 has the potential to have long-term side effects [10]. The international children's organization Unicef also mentioned that children were invisible victims of the Covid-19 pandemic. According to them, this pandemic has a devastating impact on children's lives worldwide, where they must also experience the pressure of family financial insecurity and declining health and education services [11].

Meanwhile, the study aims to examine the impact of the Covid-19 pandemic on the lives of refugee women and children in Indonesia from the perspective of feminism and health security. With these two perspectives, it is hoped that it can describe the problems of refugees in Indonesia and the steps that must be taken to overcome them.

2. RESEARCH METHOD

This qualitative research uses data collection techniques with literature review examining various sources such as books, articles, online news, reports, and other relevant sources. In this study, feminism theory and the concept of health security are used as analytical tools. The research stages were carried out from data collection, data reduction, data presentation, and finally concluding.

3. DISCUSSION

3.1. Covid-19, New Normal and Refugee Problem in Indonesia

Covid-19 first appeared and spread in the city of Wuhan-China at the end of December 2019. The spread of Covid-19 in Wuhan is suspected of originating from the Huanan animal and seafood market, where the market sells meat of wild animals that have the potential to carry the coronavirus, such as bats and monkeys. Until January 2020, Covid-19 has infected thousands of people in Wuhan and caused dozens of deaths.

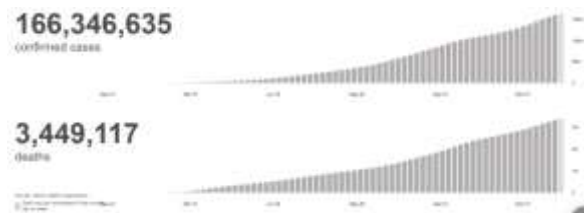


Figure 1 Covid-19 Confirmed Cases and Deaths Until January 2020

In that month, Covid-19 also began to spread to other countries and regions globally, namely Thailand, Japan, South Korea, the United States, and Europe. In the following months, Covid-19 continued to spread to many countries, including Indonesia, in early March 2020 [12]. In mid-March 2020, WHO officially announced that Covid-19 had become a pandemic that infected more than 118 thousand people in 114 countries and caused 4.3 thousand of them to die [13]. Until 2021, the number of cases of Covid-19 infection worldwide continues to increase, causing hundreds of millions of people to be infected and millions to die, as shown in the following graph.

The situation is almost the same in Indonesia, namely, the case of Covid-19, which began to spread in March 2020, continues to increase every day, infecting 1.7 million people and 48 people died. Covid-19 points in Indonesia have spread throughout the provinces of Indonesia, where the provinces of DKI Jakarta (23.8%), West Java (17.2%), Central Java (10.9%), and East Java (8.6%)) with the most Covid-19 cases [2]. The graph below shows that the cases of Covid-19 in Indonesia continue to increase every month despite the fluctuating growth rate. Until May 2021, Covid-19 cases in Indonesia have not shown a significant decline.

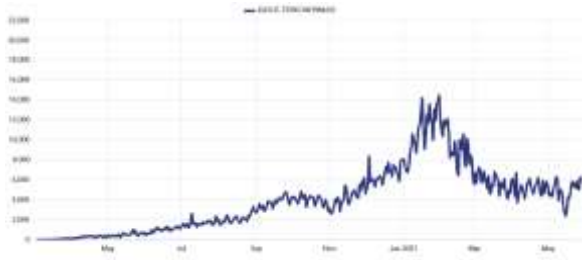


Figure 2 Covid-19 Cases in Indonesia Until May 2021

Covid-19, which continues to spread in Indonesia, is a threat to everyone, including vulnerable groups such as refugees and asylum seekers who have not received serious attention from the government. The number of refugees in Indonesia based on data from UNHCR is 13,745 people, of which 72 percent are adults, 28 percent are children, 27 percent are women, and 73 percent are men. The total number of refugee children is 3,819 children, of which 168 of them do not have parents or caregivers, and 60 children are separated from their parents [14]. Most of the refugees in Indonesia live in shelters managed by UNHCR and IOM, which are around 9 thousand people, and around 5 thousand other refugees live in shelters [4].

There is no actual data on how many refugees in Indonesia are infected with Covid-19, but in general, the new normal conditions have worsened their lives. Unfortunately, refugees in Indonesia do not receive special and definite protection from the Indonesian government regarding Covid-19. The Indonesian government's policy in dealing with Covid-19 still minimally touches the problem of refugees because they are not Indonesian citizens, and the government also does not have this obligation because it has not ratified the Refugee Convention. Meanwhile, refugees in Indonesia also cannot depend on assistance from international organizations such as UNHCR. As of November 2020, they could only finance 67 percent of refugees, while 33 percent of other refugees did not receive financial assistance [14]. UNHCR itself also asks the government and the people of Indonesia to provide more significant support and solutions to refugees in Indonesia, given the increased risk of psychosocial and mental health during the new normal [15].

In addition, refugee children who are vulnerable to various threats also suffer from the Covid-19 pandemic. With the new normal that imposes social distancing by closing face-to-face learning at schools, campuses, and other educational institutions, it is

difficult for children to get an education. It is challenging to overcome this problem, especially for refugee children in Indonesia who do not get academic support from the Indonesian government. The educational facilities for refugee children are obtained from several education centers independently established by refugee communities in Indonesia and supported by UNHCR. However, the new normal and its social restrictions have hampered the learning activities of these refugee children.

3.2. Government Policy Regarding Refugees in the New Normal Period

The spread of the coronavirus that caused the Covid-19 pandemic has threatened global health security. Health security itself is an essential dimension of human security. Like the human security concept, health security focuses on the security of an individual, not the security of the state or nation. In this case, pandemics, epidemics, malnutrition, poor sanitation, and lack of access to health are threats that can disrupt the safety of individual humans [16]. Therefore, the Covid-19 pandemic is a real threat to the survival of individuals around the world, including Indonesia.

With the increasing number of Covid-19 cases in Indonesia, as previously described, Indonesia's threat to health security is getting bigger. This health security threat is also a concern for refugees in Indonesia, especially those who do not live in shelters without getting any facilities, including access to health.

Indonesia is a country that has not ratified the Refugee Convention. Therefore the Indonesian government has no obligation to meet the needs and rights of refugees in Indonesia. The rights guaranteed by the Indonesian government for refugees are limited to not repatriating, not expelling, not discriminating, and not criminalizing [5]. However, other rights such as access to health services, education, and employment are not the responsibility of the Indonesian government. Therefore, the Indonesian government has also not issued a particular policy that protects refugees from the effects of Covid-19.

But even so, UNHCR, an international organization that takes responsibility for dealing with refugee problems in Indonesia, continues to coordinate and communicate so that refugees will get the attention of the Indonesian government, especially during the Covid-19 pandemic. During the new normal Covid-19 pandemic, the Indonesian government, especially the Ministry of Health, is willing to provide health service assistance for refugees. Puskesmas in several places

were opened for health services for the refugees. In addition, Pos Indonesia also assists UNHCR in distributing financial aid to refugees [15].

3.3. Feminist Perspective on Refugee Problems in the New Normal in Indonesia

The focus of feminism is the struggle for women's rights as well as issues related to humanity and justice, such as refugees and asylum seekers [17]. Refugee women are very at risk of getting injustice and harassment because of their limited circumstances in fighting for their rights. Conditions in refugee camps also can frustrate male refugees and commit violence to sexual harassment of female refugees [18]. This is, of course, made worse with the Covid-19 pandemic, where refugees have to suffer even more to survive because of social restrictions that make them lose their temporary jobs and other rights. In the absence of a law on refugees, refugees, including women refugees, are increasingly at risk of threatening their security.

In liberal feminism, women are the same individuals as men, both have the same rights, and no difference makes women positioned on a different level from men. So that in this perspective, they strongly encourage the struggle for the fulfillment of women's rights and the elimination of everything that can exploit, abuse, and threaten women's rights to live in the same position as men. Therefore the state and government are encouraged to protect women's rights and their lives, including female refugees [19].

The state can fulfill the rights of women refugees by issuing laws that protect their rights. However, as previously explained, the Indonesian government does not have a law on refugees that can accommodate the fulfillment of refugee rights. As a result, refugees in Indonesia can only rely on support from international organizations to fulfill their fundamental rights to life. So that this makes the rights of women refugees cannot be fulfilled as a whole, and they tend to live under threats. The feminist perspective strongly opposes this situation, and those responsible, including the state, should be able to take better action to protect refugee women in the new normal.

Based on the Refugee Convention 1951, the things that the state must do to protect the rights of refugees are: [20]:

1. In this case, to facilitate refugee travel, the state recognizes and issues the required refugee travel documents based on the intergovernmental agreement on refugee travel documents of 1946. This also means that the state may not return

refugees to their country and assist with travel documents needed for national destinations.

2. Maintaining the unity of refugee families, in this case, the government must take measures to protect refugee families, ensure family unity and protect refugee children, especially those without companions.
3. The government must accept refugees in their territory and fulfill their welfare rights until they get asylum and permanent residence for welfare services. The welfare services that the state must provide are distribution systems, housing, education, public assistance, labor laws, and social security regulations.
4. International cooperation in the field of asylum and settlement, in this case, governments must act together in a cooperative spirit for refugees to obtain asylum and possible settlement.

Meanwhile, at the time of writing, the Indonesian government has not ratified the Refugee Convention 1951. There is no full obligation for the Indonesian government to fulfill the rights of refugees as a whole. The problem of refugees in Indonesia is resolved based on Law Number 6 of 2011 concerning Immigration. Based on the law, the rights of refugees are not fully guaranteed by the government, which is limited to not expelling and not repatriating. Meanwhile, the rights to receive welfare services and family unity are not stated in this law. Therefore, many refugees in Indonesia live with limitations, without jobs and social security as well as health and education services. During the new normal period, the refugees also did not get good attention from the government. UNHCR and their partner international organizations took a greater role in refugee problems in Indonesia, including during the new normal.

Although the Indonesian government has not ratified the refugee convention, they had ratified the 1989 convention on children's rights in 1990. The rights of children that must be fulfilled based on the Convention on Children's Rights are [21]:

1. The right to play
2. The right to education
3. The right to protection
4. Right to get identity / name
5. The right to nationality
6. The right to food
7. The right to access health
8. The right to recreation
9. Right to equality

10. The right to have a role in the development

With the ratification of the Convention on the Rights of the Child, the Indonesian government should also be able to fulfill the rights of all children in Indonesian territory, including child refugees. However, the law on child protection in Indonesia only applies to children of Indonesian nationality. So, refugee children who are foreign nationals do not get facilities from the Indonesian government to fulfill their rights, especially to get an education. Therefore refugee children cannot attend schools in Indonesia but must rely on special refugee schools established by the refugee community and international organizations. In addition, refugee children are also not guaranteed access to health, so that during this new normal period, they are at a high risk of not getting quick help for their health. They get access to health only from time to time if there is assistance from the government. However, at the request of UNHCR, the Indonesian government provided access to health for the refugees at several health centers near the refugee camps.

4. CONCLUSION

Feminism considers that the Covid-19 pandemic negatively impacts women because they become sexual objects of men, and it is difficult to get their rights. Meanwhile, the Indonesian government in dealing with Covid-19 still minimally touches the problem of refugees because they are not Indonesian citizens, and the government also does not have this obligation because it has not ratified the Refugee Convention, which makes Indonesia have no obligation to fulfill the rights of refugees as a whole.

However, feminism argues that Indonesia must fulfill the rights of refugee girls who are vulnerable in accordance with the Convention on the Rights of the Child, which has been ratified by Indonesia as well as the need for equal access to social assistance for refugees in Indonesia and, most importantly access to fulfill the rights of girls who become refugees in Indonesia. In addition, at the regional level, the problem of refugees at the time of this pandemic needs to be carried out comprehensively between countries in the region which are the destination countries or transit countries for these refugees. This was done so as not to become a burden for a transit country like Indonesia.

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